

AGENDA ITEM: Regulations for the Library of California Act

The Library of California Act, signed into law in September of 1998, will expand the California Library Services Act (CLSA) in terms of libraries and services through a multi-year incremental implementation process. A key responsibility for the Board in implementing the new program is the promulgation of regulations for the Library of California Act. This will enable the Board to expend funds appropriated for the Act and to carry out its provisions.

GENERAL OVERALL PROGRAM UPDATES:

In preparation for the promulgation of regulations, informal workshops were held in five locations statewide in January 1999 and, at its January 1999 meeting, the Board reviewed the draft regulations and provided direction in key policy areas. The Board reviewed the revised draft at its February meeting, where it also acted upon the remaining policy areas. The document was revised accordingly and re-formatted in accordance with Office of Administrative Law (OAL) requirements and advice, subject to Board review.

The rulemaking procedure began officially with the submission of the Notice of Proposed Rulemaking and its publication in the May 21, 1999 issue of the *California Regulatory Notice Register*. This submission also included the proposed regulations, the Initial Statement of Reasons (an informative digest justifying each proposed regulation), and the Economic and Fiscal Impact Statement. These materials were also mailed to approximately 900 people and were available on the State Library's website. Eight public hearings were conducted on the proposed regulations.

The Board revised the proposed regulations at its August 1999 meeting, based upon public comments and internal Board deliberations. The modified text of the regulations was mailed to 85 people and additional public comment was invited. No additional comments were received. The proposed regulations were submitted to the Office of Administrative Law on December 13, 1999 in accordance with the Board's actions at its November 1999 meeting. The submission was withdrawn on January 24, 2000 when the Office of Administrative Law informally recommended changes in the proposed regulations that would require Board action and an additional public comment period.

At its February 2000 meeting, the Board again revised the proposed regulations. The modified regulations were mailed to all persons who had submitted written comments and/or attended a public hearing; copies were also sent to the Library of California

Planning Region Contacts and to all CLSA Administrative Council Chairs and System Coordinators. It was also posted on the State Library's website.

Interested persons were invited to submit written comments about the proposed changes between March 1, 2000 and March 22, 2000. No written comments were received.

In accordance with the Board's decision in February 2000, the modified regulations were submitted without change to the Office of Administrative Law (OAL) on March 28, 2000. They appear in Exhibit A.

The Office of Administrative Law approved the proposed regulations as submitted by the Board on May 8, 2000 (Exhibit B). The regulations become effective 30 days after approval.

RELATED ISSUES TO COME BEFORE THE BOARD IN THE FUTURE:

1. Review all comments received related to implementation procedures and to issues for future rulemaking.
2. Conduct a second rulemaking procedure, at a later date, to address those areas requiring more study or reflecting to-be-determined policies.

Relevant Committee: Legislation
Staff Liaison: Barbara Will